

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Jean-Luc DENISART *et al.*

Confirmation No.: 7802

Application No.: 10/676,001

Group Art Unit: Not Assigned

Filed: October 2, 2003

Examiner: Not Assigned

For: EXTRACTING DEVICE WITH
INTEGRATED CAPSULE LOADING
SYSTEM

Attorney Docket No. 88265-6931

**PETITION FOR MAINTENANCE OF FILING DATE AND
SUBMISSION OF DRAWINGS,
DECLARATION, AND POWER OF ATTORNEY BY ASSIGNEE**

Mail Stop Petitions

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

In response to the Notice of Incomplete Non-Provisional Application mailed January 5, 2004, a copy of which is enclosed, applicants submit herewith this petition for maintaining the October 2, 2003 filing date for this application. In response to the Notice, six (6) sheets of formal drawings for Figures 1-10 are submitted herewith. Also submitted herewith are the executed Declaration and executed Power of Attorney by Assignee.

The drawings in the above-identified application were inadvertently omitted when this continuation application was filed on October 2, 2003. It is respectfully submitted that the drawings filed in International Application PCT/EP02/03632 be entered in the above-identified application because the prior application PCT/EP02/03632 is expressly incorporated by reference in the above-identified application. Enclosed is a copy of the first page of the specification in the above-identified application which states:

"This application is a continuation of International application PCT/EP02/03632 filed March 26, 2002, the entire content of which is expressly incorporated herein by reference thereto."

MPEP 201.06(c) permits the entering of a portion of the prior application into a continuation or divisional application when the portion of the prior application was inadvertently omitted from the continuation or divisional application.

Enclosed are six (6) sheets of drawings for Figures 1-10. These are copies of the drawings from International Application PCT/EP02/03632 which we request be entered in the above-identified application and be accorded the same filing date of October 2, 2003.

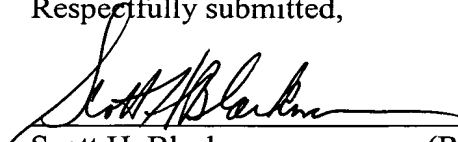
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A petition fee of \$130 is believed to be due for this submission. Please charge the petition fee and any other required fees to WINSTON & STRAWN LLP Deposit Account No. **50-1814**. In the event that it is found that a petition was not required to correct this omission, please consider this to be a request to refund the petition fee to that deposit account.

Date: 5 March 2004

Respectfully submitted,



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EXTRACTION DEVICE WITH BUILT-IN CAPSULE LOADING SYSTEM

Cross-Reference to Related Application

5 This application is a continuation of International application PCT/EP02/03632 filed March 26, 2002, the entire content of which is expressly incorporated herein by reference thereto.

Background

10 The present invention relates to the preparation of drinks using the principle of extracting a substance contained in a refill, known as a "capsule", by passing a flow of water through it under pressure. The invention relates more specifically to an extraction
15 device comprising a capsule feeding and loading system.

It is known to prepare drinks such as coffee from capsules containing a predetermined serving of ground-roasted coffee. Capsules have the advantage of facilitating the operations of preparing the drink,
20 ensuring relatively clean preparation without leaving visible coffee grounds, and controlling the amount and quality of the prepared product.

The principle of extracting from a capsule includes the steps of (i) enclosing the capsule in a
25 pressure-resistant enclosure, (ii) piercing one of the faces of the capsule, generally by means of one or more spike(s) or blade(s) situated in a part comprising a water inlet or injection device, (iii) introducing a quantity of hot water into the capsule to create a
30 pressurized environment therein to produce the liquid coffee extract, and finally (iv) releasing the liquid coffee extract through the opposite face of the capsule which, on contact with projecting parts, opens under the internal pressure created inside the capsule.

35 In most commercially available extraction devices, the capsules are loaded manually and individually into the extraction capsule holder, this usually being a part corresponding to the base out of which the liquid